

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LAURA POWERS, on behalf of herself and
all others similarly situated;

Plaintiff,

v.

THE COLLECTION ANALYST, INC., and
JUDITH D. RETELSDORF,

Defendants.

8:17CV229

ORDER

This matter is before the court on the findings and recommendation of the magistrate judge, [Filing No. 29](#), in a class action settlement case. Plaintiff filed this case alleging violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692, *et seq.*, and the Nebraska Consumer Practices Act (“NCPA”), Neb. Rev. Stat. § 59-1601, *et seq.* [Filing No. 8](#). The parties have reached a settlement (“Settlement Agreement”). ([Filing No. 27-1](#)). Plaintiff filed a motion for preliminary approval of class settlement, [Filing No. 25](#), and the magistrate determined: (1) that the classes should be certified under Fed. R. Civ. P. 23; (2) that the common questions and the purposes of class actions are satisfied under Fed. R. Civ. P. 23(b)(3); and the Settlement Agreement should be preliminarily approved. No objections have been filed, and plaintiff indicates the defendants are in agreement with the settlement.

The court has carefully reviewed the motion for preliminary approval and the findings and recommendation of the magistrate judge. The court finds the magistrate judge is correct in her findings of fact and conclusions of law, and the court adopts the same.

THEREFORE, IT IS ORDERED THAT:

1. The findings and recommendation of the magistrate judge, [Filing No. 29](#) is adopted in its entirety;
2. The Unopposed Motion for Preliminary Approval of Settlement and Notice to Class ([Filing No. 25](#)) is granted;
3. The Proposed Order for Preliminary Approval of Class Action Settlement ([Filing No. 27-2](#)) is approved;
4. Plaintiff is appointed as class representative, and O. Randolph Bragg, Pamela Car and William Reinbrecht are appointed as class counsel; and
5. The court schedules a final hearing to determine whether the proposed settlement is fair, reasonable and adequate on December 20, 2018 at 1:30 p.m. in Courtroom No. 3, Roman Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska 68102.
6. A separate order will be entered approving the Proposed Order for Preliminary Approval of Class Action in conjunction with this Order.

Dated this 19th day of July, 2018.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge